

UNITED STATES DISTRICT COURT

for the

District of Minnesota

UNITED STATES OF AMERICA

v.

Case No. 15-mj-984 BRT

KHAALID ADAM ABDULKADIR

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about December 9, 2015, in Hennepin County, in the State and District of Minnesota, defendant(s)

Impeded and retaliated against a federal judge and federal law enforcement officers.

in violation of Title 18, United States Code, Section(s) 115(a)(1)(B) and (b)(4).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No



Complainant's signature

Vadym Vinetsky, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

Dec 11, 2015

City and State: Minneapolis, MN



Judge's Signature

Becky R. Thorson, U.S. Magistrate Judge

Printed Name and Title



UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

15-mj-984 BRT

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT AND ARREST
WARRANT

I, Vadym Vinetsky, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been employed by FBI since February of 2010. Since November of 2014 I have been assigned to the Joint Terrorism Task Force ("JTTF") of the FBI's Minneapolis Division. As part of my duties as a Special Agent, I investigate, among other things, criminal violations relating to terrorism, such as material support to designated foreign terrorist organizations. The statements contained in this affidavit are based on information I have learned through my own investigation; my background, training, and experience as a Special Agent assigned to the JTTF; the investigation of other special agents and law enforcement officers; records and other evidence obtained during the course of this investigation; and discussions with individuals as set forth in this affidavit.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is probable cause for the requested warrants and does not set forth all of my knowledge about this matter.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that KHAALID ADAM ABDULKADIR (“**ABDULKADIR**”) has committed violations of 18 U.S.C. § 115.

INTRODUCTION

4. The facts set forth below in this affidavit show that on December 9, 2015, **ABDULKADIR** made death threats against Federal law enforcement officers and others. Those threats were made with the specific intent to impede, intimidate, and interfere with the performance of official duties by those Federal law enforcement officers, and to retaliate against those Federal law enforcement officers for the performance of their official duties.

INVESTIGATION AND PROSECUTION OF ISIL RECRUITS

5. On April 19, 2015, as part of an ongoing investigation in the District of Minnesota, the FBI arrested six men on a federal complaint that charged them with conspiring to provide material support to a Designated Foreign Terrorist Organization, specifically the Islamic State in Iraq and the Levant (“ISIL”). Four of the men were arrested in Minneapolis, Minnesota, and two were arrested in San Diego, California.

6. On April 20, 2015, the United States Attorney for the District of Minnesota, and the Special Agent in Charge of the FBI’s Minneapolis Field Office gave a public statement about the investigation, the use of a cooperating individual in the investigation, the resulting arrests, and the charging of these six men (“ISIL recruits”) based on their efforts to join ISIL.

7. The investigation and prosecution of these ISIL recruits generated significant media attention, including articles quoting the United States Attorney and photographs and video of the United States Attorney and the FBI Special Agent in Charge announcing the case, and also resulted in court appearances involving one or more of the Assistant United States Attorneys handling the prosecution and FBI Special Agents involved in the investigation. Following their arrest on April 19, 2015, the alleged ISIL recruits were detained pending trial, which is presently scheduled for May 9, 2016.

8. Several months later, at approximately 7:00 p.m. on December 9, 2015, FBI agents arrested Abdirizak Mohamed Warsame on a complaint charging him with conspiring to provide material support to ISIL. The complaint in that matter is attached to this affidavit and incorporated by reference as Exhibit One. Warsame's arrest was publicized by media outlets starting at approximately 8:00 p.m. on December 9, 2015.

TWITTER ACCOUNT ACTIVITY OF “@kabdulkadir14”

9. One aspect of the investigation that led to the arrest of the ISIL recruits involved monitoring the public Twitter account activity of the ISIL recruits and individuals associated with them. Twitter is an online social networking service that enables users to send and read short 140-character messages commonly called “tweets,” using the Internet. An individual may access his/her Twitter account from multiple devices including cell phones, laptops, and similar electronic devices that have Internet capabilities.

10. The FBI learned through a Confidential Human Source that within hours of Warsame's December 9, 2015 arrest being publicized, the Twitter account "**@kabdulkadir14**" posted two separate tweets containing threatening communications. Each tweet from the "**@kabdulkadir14**" account was accompanied by a photograph of defendant **ABDULKADIR**. The first tweet from "**@kabdulkadir14**" stated "More brother get locked up the cops body they will find on the floor body's dropping fast #kill them FBI and fuck as judge". The tweets had been removed by the morning of Thursday, December 10, 2015. However, screenshots of these threatening tweets were obtained by law enforcement before they were removed. Those screenshots are attached to this affidavit as Exhibit Two.

OTHER ACTIVITY INVOLVING ABDULKADIR

11. **ABDULKADIR** has been in contact with federal fugitive Mohamed Abdullahi Hassan, a/k/a "**MISKI**". **MISKI** was charged, in an indictment filed with this Court in 2009 (No. 09-50), with Conspiracy to Provide, and Providing, Material Support to a Designated Foreign Terrorist Organization (al-Shabaab) in violation of 18 U.S.C. § 2339B, and with Conspiracy to Kill Abroad in violation of 18 U.S.C. § 956. From my review of the indictment in **MISKI**'s case, I am aware that **MISKI** left Minnesota on or about August 2, 2008 to join and fight with the Designated Foreign Terrorist Organization al-Shabaab in Somalia, and that as of this writing **MISKI** remains a fugitive from justice. **MISKI**, from locations within Somalia, has used the Direct Messaging ("DM") function offered by Twitter to communicate with others who (1) may aspire to

commit or have committed acts of unlawful violence or (2) may aspire to travel or have traveled to join a Designated Foreign Terrorist Organization. Specifically, my review of the material provided by Twitter revealed approximately 30 direct messages exchanged on January 28, 2015, between MISKI's @Lover_Of_Hoor account and ABDULKADIR's account "@kabdulkadir14". In this exchange, **ABDULKADIR** writes *"Brother I'm trying to make moves and I have no connection so what's the deal brother?"* MISKI inquires *"Where are you trying to bounce to akhi?"¹* to which **ABDULKADIR** ultimately responds *"I'm trying to bounce for untied state Mpls mn to shaim [Sham]"*. MISKI advises **ABDULKADIR** *"akhi just get to T [Turkey] safely and you'll get help there insha Allah"*. **ABDULKADIR** then asks *"Okay should I wait for ur reply or what should I do brother"* to which MISKI responds *"wait for me insha Allah..."* MISKI further instructs **ABDULKADIR** by stating *"Dont tell anyone and stay away from speaking about anything that has to do with J"*. **ABDULKADIR** later states *"Ahki I'm 18 and I'm do what u say"*.

12. In reviewing the publicly-available content on @kabdulkadir14, I learned the following:

- a. First, the "User Photo" is a photograph that I recognize to be of **ABDULKADIR** along with a second individual. The User also identifies himself as "KHALID ABDULKADIR" which I know to be **ABDULKADIR**'s true name.

¹ "Akhi" means "friend," or "pal" in Somali. In this context, the most appropriate English translation would probably be "brother" or the more colloquial "bro."

b. Second, on January 27, 2014, **ABDULKADIR** “favorited” a tweet posted by Twitter user “Hanad@HanadM_.” The tweet stated, “*You die the way you lived and you are raised up from the grave the way you died so live by La Illaha illa Allah Muhammad RusulAllah.*” Subsequent investigation revealed Twitter user Hanad@HanadM_ to be former Minnesota resident Hanad MOHALLIM. MOHALLIM departed the United States on March 9, 2014, and was reportedly killed in in November of 2014 in Syria fighting for ISIL.

14. **ABDULKADIR** has also been in contact, through Facebook, with **ABDI NUR**, a man from Minnesota who traveled to Syria on or about May 29, 2014, where he joined, and fought with, ISIL. A search warrant was issued by the Honorable Tony Leung, a Magistrate Judge of this Court, on or about May 27, 2015, for the content of **ABDI NUR**’s Facebook account. Messages between **NUR** and defendant **ABDULKADIR** were found. In particular, within two minutes on May 13, 2015, **ABDULKADIR** sent three Facebook messages to **NUR**. In the first, defendant **ABDULKADIR** stated “Curry [a nickname for **NUR**] I miss you bro.” In the second, defendant **ABDULKADIR** stated “Me and [another, specifically named young man] and {a third, specifically named young man] need help as as we could so we can chill with u soon as possible.” In the third and last, defendant **ABDULKADIR** stated “We got the money in cash and plan doing something with it so help bro.” Your affiant assesses that these messages show an aspiration on the part of **ABDULKADIR** to travel to Syria to be with **NUR** who was at the time of these messages fighting on behalf of ISIL.

14. Based on my training and experience, the investigation summarized herein, as well as the content and context of the December 9, 2015, Twitter communications from “@kabdulkadir14,” such context including:

- a. the sending of the communications within hours of the arrest of an ISIL recruit;
- b. communications between the Twitter accounts of “@kabdulkadir14” and MISKI and NUR; and
- c. the detention of the ISIL recruits;

your affiant believes **ABDULKADIR** is using the Internet, and specifically Twitter to impede, intimidate, and interfere with the performance of the official duties by, and to retaliate against, one or more Federal law enforcement officers for the performance of their official duties by making threats of death.

OTHER ANTI-LAW ENFORCEMENT BEHAVIOR BY ABDULKADIR AND OTHERS

13. As noted previously in this affidavit, on April 19, 2015 six men were arrested for conspiring to provide material support and resources to the Designated Foreign Terrorist Organization ISIL. On May 9, 2015 one of the men arrested in San Diego made an initial appearance in the District of Minnesota. The initial appearance occurred in the Federal Courthouse in Minneapolis, Minnesota. Following the hearing, a Deputy US Marshal went to the café on the ground floor of the courthouse, and took a

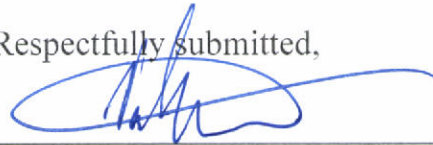
table next to one of the café's full height, floor-to-ceiling windows that look out onto the plaza in front of the Federal Courthouse. Several young men, one of whom was defendant **ABDULKADIR**, gathered on the plaza in front of the Federal Courthouse. The group of young men of whom **ABDULKADIR** was a part gathered outside the window adjacent to the Deputy US Marshal and began videotaping him through the glass, at very close range (approximately two feet).

14. This incident occurred in the context of additional, troubling behaviors. On June 4, 2015, a group of young men approached the security checkpoint at the Minneapolis Federal Courthouse. When asked to state their business, they replied that they wished to "check out a courtroom." There were no hearings taking place in the building at the time. The young men then went outside and were observed possibly taking photographs with their cell phones of the plaza area outside the courthouse. On June 8, 2015 a group of three young men loitered near the back, employees-only entrance of the FBI building in Brooklyn Center, Minnesota. The FBI building is in an area that has nothing nearby, and there is no reason to loiter there. All three of the young men took out their cell phones and took pictures. They departed the area before they could be spoken to. No identifications were made of any of the members of either the June 4 group at the Minneapolis Federal Courthouse or the June 8 group at the FBI; therefore **ABDULKADIR**'s presence can neither be ruled in nor ruled out from either group. This information is provided to fully explain the context of **ABDULKADIR**'s act of photographing the Deputy US Marshal.

CONCLUSION

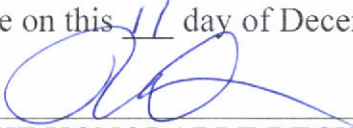
15. Based on all of the foregoing, I respectfully ask that this Court issue the requested complaint and arrest warrant.

Respectfully submitted,



Vadym Vinetsky, Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before
me on this 11 day of December, 2015.



THE HONORABLE BECKY R. THORSON
United States Magistrate Judge

ATTACHMENT A

COUNT 1

Impeding And Retaliating Against A Federal Law Enforcement Officer

On or about December 9, 2015, in the State and District of Minnesota, the defendant,

KHAALID ADAM ABDULKADIR,

threatened to assault and murder a Federal law enforcement officer, with intent to impede, intimidate, and interfere with such official while engaged in the performance of official duties and with intent to retaliate against such official on account of the performance of official duties, in violation of Title 18, United States Code, Section 115(a)(1)(B) and (b)(4).



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1,065



Montana From OeO Retweeted



khalid abdulkadir @kabdulkadir14 20m

More brother get locked up the
cops body they will find on the floor
body's dropping fast #kill them F B I
and fuck as judge 🙄 [?] [?] [?] [?]



1



1



Montana From OeO Retweeted



khalid abdulkadir @kabdulkadir14 22m

Fuck them F. B. I I'm kill them FEDS
for take my brothers



1



1



Heineken US @Heineken_US



Sometimes your best dance move
of the night is putting your drink